

Emanuel Kataev, Esq. | Associate
 Milman Labuda Law Group, PLLC.
 3000 Marcus Avenue, Suite 3W8
 Lake Success, NY 11042-1073
 (516) 328-8899 (office)
 (516) 303-1395 (direct dial)
 (516) 328-0082 (facsimile)
 emanuel@mllaborlaw.com

December 5, 2014

VIA FACSIMILE (212) 805-6326
 Hon. Colleen McMahon, U.S.D.J.
 United States District Court
 Southern District of New York
 500 Pearl Street, Courtroom 17C
 New York, NY 10007-1312

Re: **Victorio, et al. v. Sammy's Fishbox Realty Co., et al.**
Civil Case No.: 14-CV-08678 (CM) (AJP); MLLG File No.: 97-2014

Dear Judge McMahon:

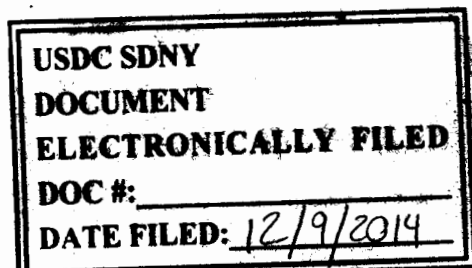
As you are aware, we represent certain Defendants in the above referenced matter. See Docket Entries 16, 17, 23. On November 21, 2014, the Hon. Castel ordered Defendants to show cause as to why a preliminary injunction should not be granted herein pursuant to Rule 65 of the Federal Rules of Civil Procedure *pendente lite* and, among other things, that a hearing be held on Wednesday, December 10, 2014 at 11:00 AM. See Docket Entry 15. Additionally, we note that this Court set forth an Initial Pretrial Conference on Friday, December 12, 2014 at 11:45 AM. See Docket Entry 3.

In light of the foregoing – and because Defendants have a scheduling conflict on December 10, 2014 – the parties jointly seek to adjourn the December 10, 2014 hearing to be held in concert with the Initial Pretrial Conference scheduled two days later. Per Your Honor's Individual Practices and Procedures ("Rules"): (1) the original date is December 10, 2014; (2-3) there have been no previous requests for an adjournment; (4) Plaintiffs consent to this request for an adjournment; and (5) the requested adjournment does not affect any other scheduled dates.

Additionally, counsel for Plaintiff seeks an extension of time of one (1) day to submit their reply brief. Per the Court's Rules: (1) the original date is December 9, 2014 at 10:00 AM; (2) there has been one (1) previous request for an extension of time to file an answer; (3) this previous request was granted; (4) Defendants consent to this request for an extension of time; and (5) the requested extension of time does not affect any other scheduled dates. We thank the Court for its time and attention to this matter.

Respectfully submitted,

/s Emanuel Kataev, Esq.
 Emanuel Kataev, Esq.
 Milman Labuda Law Group, PLLC.



CC: Opposing counsel (via e-mail).

12/9/2014
 Counsel: Judge Castel
 did not tell me about his idea
 no courtesy copy of your papers arrived
 at chambers until late last week. I now
 know about this hearing schedule. I am
 doing some motions + charge in
 murder trial on 12/10.
 I will address
 this application
 until 7m on
 Friday, 12/12.
 I must have
 the reply by on
 Wednesday
 12/10.